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February 10, 2000

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

VIA HAND DELIVERY

Magalie Roman Salas, Esquire  
Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

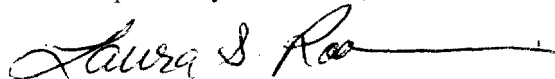
Re: Written *Ex Parte* Presentation  
WT Docket No. 97-207

Dear Ms. Salas:

I am submitting herewith, on behalf of Nextel Communications, Inc. ("Nextel"), a copy of a written *ex parte* presentation in the above-referenced proceeding. The written *ex parte* presentation discusses the calling party pays service option ("CPP") and the reasons supporting the need for mandatory ILEC billing and collection for CPP. This presentation was submitted in accordance with Section 1.1203 of the Commission's Rules concerning the sunshine period prohibition.

In accordance with Section 1.1206 of the Commission's Rules, the original and two copies of this presentation are being submitted to the Secretary's office on this date. Please inform me if any questions should arise in connection with this submission.

Respectfully submitted,



Laura S. Roecklein

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Magalie Roman Salas, Esq.  
February 10, 2000  
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cc: Commissioner Susan Ness  
Commissioner Michael K. Powell  
Commissioner Harold Furchtgott-Roth  
Commissioner Gloria Tristani  
Ari Fitzgerald  
Mark Schneider  
Peter Tenhula  
Bryan Tramont  
Thomas Sugrue  
James Schlichting  
Kris Monteith  
Janet Sievert

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February 10, 2000

The Honorable William E. Kennard  
Chairman  
Federal Communications Commission  
445 12th Street, SW  
Washington, D.C. 20554

Re: Written *Ex Parte* Presentation -- WT Docket No. 97-207

Dear Chairman Kennard:

Nextel Communications, Inc. ("Nextel") is a nationwide digital CMRS provider. Its interest in Calling Party Pays ("CPP") is tied directly to its ability to launch CPP as a nationwide service offering. Any Federal Communications Commission (the "Commission") action that does not enable Nextel to offer CPP as a service option nationwide is a wasted effort, a missed opportunity to promote wireless/wireline competition and a decision to substitute the Commission's judgment for that of the marketplace as to the viability of CPP services.

As the Commission completes its deliberations on the federal actions necessary for wireless carriers to roll out CPP services, Nextel reminds the Commission of the critical need to address fully and fairly the most crucial implementation issue: the absolute need for a transitional obligation on incumbent Local Exchange Carriers ("ILECs") to make their unmatched billing and collection operations available to bill for CPP service. While Nextel is mindful that uniform consumer notification and PBX CPP call blocking options present issues requiring Commission consideration, their resolution will be wholly irrelevant if the Commission fails to provide wireless providers a viable means of billing the vast majority of CPP callers.

As a wireless carrier offering service nationwide, Nextel sees no business case for offering CPP unless it can do it on a nationwide basis. The only way to do so, however, is with the ILECs' cooperation on billing fulfillment and collection; otherwise, Nextel would have to establish billing relationships with approximately 90 million households with multiple lines as well as businesses, governments, organizations and institutions across the country. The sheer scope of this is beyond any individual carrier or, as the record in this proceeding indicates, any clearinghouse or billing vendor. Only the ILECs, which developed this capability during decades as regulated monopolies, can provide the billing and collection capability necessary to launch or "jumpstart" a viable nationwide CPP service option.

The marketplace failure that justifies the Commission mandating interim ILEC billing and collection for wireless CPP is the absence of competitive alternatives to the ILECs' virtually ubiquitous billing and collection capability. The ILECs enjoy tremendous economies of scale

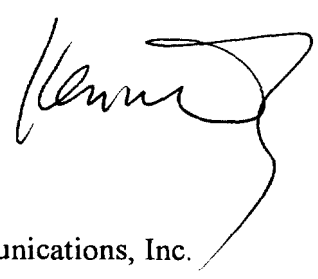
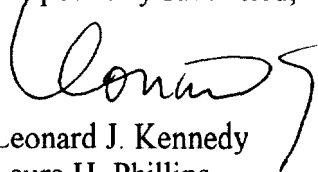
and scope in billing and collection not due to any market prowess, but as an enduring vestige of regulated monopoly. Under such circumstances, Commission action is warranted to remedy this impediment to development of wireline/wireless competition.

SBC has been very blunt about this, stating that it will not offer CPP billing and collection unless mandated by the Commission. SBC controls over one-third of the local access lines in the country, thereby effectively blocking Nextel and other wireless carriers from offering CPP service in large swaths of the country, much less nationwide. Given this, there is no regulatory middle ground. Requiring, for example, that an ILEC offer billing and collection on a non-discriminatory basis whenever it bills its subscribers for the CPP calls of its wireless affiliate would be insufficient to support a nationwide, economically-feasible CPP service option. A non-discrimination requirement would do nothing to cause SBC to offer billing and collection for CPP calls, and would thus doom CPP as a viable nationwide service alternative for wireless subscribers. Likewise, imposing obligations on ILECs to make billing name and address (BNA) information available to CMRS providers or clearinghouses so that CMRS carriers can bill for CPP calls is insufficient by itself to make CPP workable.

The inescapable, uncontradicted reality is that the ILECs have unparalleled economies of scale and scope in adding CPP charges to their preexisting ILEC monthly service bills. Requiring them to employ those economies for a reasonable fee will advance the public interest in wireless competition with ILEC service. Nextel submits that a three-year requirement will provide a sufficient time for other billing fulfillment entities to develop competitive alternatives to ILEC billing and collection for CPP.

Notwithstanding the above, if the Commission cannot, for whatever reason, conclude now that a transitional ILEC billing and collection obligation is warranted, then Nextel urges the Commission to take no action at all on CPP at this time. In that event, the Commission may find it useful to more fully develop the record herein by convening a public forum of interested parties to test the propositions for and against ILEC billing obligations for CPP that litter the record in this proceeding. While this may delay Commission action, it is far better for the Commission to take this step now rather than do a *post mortem* on CPP in two years and "wonder why the patient died."

Respectfully submitted,



Leonard J. Kennedy  
Laura H. Phillips

Counsel for Nextel Communications, Inc.

cc: Commissioner Susan Ness  
Commissioner Michael K. Powell  
Commissioner Harold Furchtgott-Roth  
Commissioner Gloria Tristani  
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